

First Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 23-0451.01 Shelby Ross x4510

HOUSE BILL 23-1197

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HOUSE SPONSORSHIP

Young,

SENATE SPONSORSHIP

(None),

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House Committees  
Health & Insurance

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING REQUIRING THE DEPARTMENT OF HEALTH CARE POLICY  
102 AND FINANCING TO ENGAGE IN A STAKEHOLDER PROCESS TO  
103 ADDRESS THE OVERSIGHT OF HOST HOME PROVIDERS.

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Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

No later than September 1, 2023, the bill requires the department of health care policy and financing (state department) to engage in a stakeholder process to address concerns and identify viable solutions related to individuals who receive long-term services and supports.

No later than January 2025, the bill requires the state department

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing law.*  
*Dashes through the words or numbers indicate deletions from existing law.*

to report on the stakeholder process, including identifying any administrative resources needed to address any concerns identified during the stakeholder process.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2           **SECTION 1. Legislative declaration.** The general assembly  
3 finds and declares that individuals who require 24-hour care 7 days a  
4 week deserve a safe environment where agreed-upon services and  
5 supports are provided. Therefore, it is imperative that the department of  
6 health care policy and financing engage in a stakeholder process with  
7 individuals who receive such services to address concerns and identify  
8 solutions as it relates to the oversight of host home providers.

9           **SECTION 2.** In Colorado Revised Statutes, **add** 25.5-10-241 as  
10 follows:

11           **25.5-10-241. Host home provider stakeholder collaboration -**  
12 **report.** (1) NOLATER THAN SEPTEMBER 1, 2023, THE STATE DEPARTMENT  
13 SHALL ENGAGE IN A STAKEHOLDER PROCESS, WHICH MUST INCLUDE BUT  
14 IS NOT LIMITED TO EQUITABLE REPRESENTATION AMONG  
15 PROGRAM-APPROVED SERVICE AGENCIES, CASE MANAGEMENT AGENCIES,  
16 HOST HOME PROVIDERS UNDER CONTRACT WITH A PROVIDER AGENCY,  
17 INDIVIDUALS WITH LIVED EXPERIENCES, AND ADVOCACY GROUPS THAT  
18 REPRESENT THE DISABILITY COMMUNITY, TO ADDRESS CONCERNS AND  
19 IDENTIFY VIABLE SOLUTIONS RELATED TO INDIVIDUALS WHO RECEIVE  
20 LONG-TERM SERVICES AND SUPPORTS PURSUANT TO THIS ARTICLE 10. AT  
21 A MINIMUM, THE STAKEHOLDER PROCESS MUST ADDRESS:

22           (a) THE TIMELINE, PROCESS, AND PROCEDURE FOR REPORTING AND  
23 RESOLVING A GRIEVANCE OR COMPLAINT BY AN INDIVIDUAL RECEIVING  
24 LONG-TERM SERVICES AND SUPPORTS, INCLUDING REGULAR

1 NOTIFICATIONS TO THE INDIVIDUAL ABOUT THE GRIEVANCE AND  
2 COMPLAINT PROCEDURE AND PROCESS, THE RIGHT TO AN APPEAL, HOW A  
3 INDIVIDUAL CAN EASILY ACCESS INFORMATION RELATED TO THE PROCESS  
4 AND PROCEDURE, AND HOW TO REPORT RETALIATION;

5 (b) THE PROCESS BY WHICH A HOST HOME PROVIDER UNDER  
6 CONTRACT WITH A PROVIDER AGENCY THAT IS CONVICTED OF ABUSE OR  
7 NEGLECT MAY BE DETERMINED INELIGIBLE TO CONTINUE PROVIDING  
8 SERVICES AND SUPPORTS; AND

9 (c) CONSISTENCY OF CONTRACT LANGUAGE BETWEEN  
10 PROGRAM-APPROVED SERVICE AGENCIES AND HOST HOME PROVIDERS  
11 UNDER CONTRACT WITH A PROVIDER AGENCY.

12 (2) NO LATER THAN JANUARY 2025, THE STATE DEPARTMENT  
13 SHALL REPORT AS PART OF ITS "SMART ACT" HEARING REQUIRED BY  
14 SECTION 2-7-203 ON THE STAKEHOLDER PROCESS DESCRIBED IN  
15 SUBSECTION (1) OF THIS SECTION, INCLUDING IDENTIFYING ANY  
16 ADMINISTRATIVE RESOURCES NEEDED TO ADDRESS THE CONCERNS AND  
17 SOLUTIONS IDENTIFIED DURING THE STAKEHOLDER PROCESS.

18 **SECTION 3. Safety clause.** The general assembly hereby finds,  
19 determines, and declares that this act is necessary for the immediate  
20 preservation of the public peace, health, or safety.